

WATER RIGHT REPORT

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8/13/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 74-15926

Owner Type Name and Address

Current Owner JANET E BIRD

Current Owner KURT W BIRD

56 LOWER TEXAS CREEK RD

LEADORE, ID 83464

2087682425

Priority Date: 12/31/1982

Basis: Decreed

Status: Active

Source Tributary

BIG TIMBER CREEK LEMHI RIVER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 03/15 11/15 6.78 CFS

Total Diversion 6.78 CFS

Location of Point(s) of Diversion:

BIG TIMBER CREEK SWNW Sec. 20 Township 15N Range 26E LEMHI County

IRRIGATION Use:

Acre Limit: 235.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15N	26E	3		SWSW	33.8		SESW	36						
				SWSE	37		SESE	29						
		8		SESW	4									
				NWSE	1		SWSE	18						
		9		NWNE	3.5		SWNE	6.8		SENE	10			
				NENW	38.9		NWNW	27		SWNW	25.5		SENE	38
				SESW	4.2									
				NESE	40		NWSE	28		SWSE	28.9		SESE	39
		10		NENE	33		NWNE	38		SWNE	38		SENE	34
				NENW	39		NWNW	33.7		SWNW	34.7		SENE	40

	NESW 40	NWSW 40	SWSW 37	SESW 40
	NESE 38	NWSE 34.5	SWSE 11.1	SESE 1.5
14	NWNW 1			
	NWSW 24.8	SWSW 1		
15	NENE 33.6	NWNE 30.5	SWNE 35	SENE 39
	NENW 36	NWNW 31.8	SWNW 30	SENW 36.5
	NESW 36.5	NWSW 30.5	SWSW 29.7	SESW 36.9
	NESE 34.9	NWSE 30.9	SWSE 34.9	SESE 36.9
22	NENE 1.5	NWNE 1.5		

Total Acres: 1554.5

Conditions of Approval:

1. K09 This right is for an enlargement of 235.2 acres within the place of use described for this right.
2. X35 Rights 74-15926 and 74-15928 when combined shall not exceed a total diversion rate of 24.2 cfs and the irrigation of 799.5 acres.
3. X35 Rights 74-32, 74-15926, and 74-15928 when combined shall not exceed a total diversion rate of 27.44 cfs and the irrigation of 799.5 acres.
4. X35 Rights 74-32, 74-34, 74-7165, 74-15926, 74-15927, 74-15928, 74-15929, 74-15930 and 74-15930 when combined shall not exceed a total diversion rate of 46.37 cfs and the irrigation of 1554.5 acres.
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. K02 Right 74-15926 is based upon an enlargement of Right No. 74-15928 pursuant to Section 42-1426, Idaho Code.
9. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
10. C11 This right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. 004 This right does not grant any right-of-way or easement across the land of another.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 04/16/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: AND/OR

Water District Number: 74W

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 1554.5

Combined Volume Limit:

Combined Rate Limit: 46.37

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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